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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/620,048
Filing Date: July 15, 2003
Appellant(s): RAMBO, DARWIN

Roy B. Rhee
(Reg. No. 57303)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 22, 2009 appealing from the Office action mailed February 4, 2009.

(1) Real Party in interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6559863 Megiddo 05/2003

5758079 Ludwig 05/1998

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12, 14-16, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Megiddo (6559863).

Regarding claim 1, Megiddo teaches a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, **(Megiddo discloses FIG. 1a is a schematic illustration of a client computer operatively coupled to a server computer system in accordance with one aspect of the present invention; Column 3 lines 54-56)** said computing device capable of displaying, **(Fig 1c)** to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server. **(Megiddo discloses in step 200, the server 25 provides an electronic conference room 100 for electronic communication between multiple users. In step 210, the electronic conference room 100 provides each user or client with a graphical image representing that user in the electronic conference room 100; Column 7 lines 48-51)**

Regarding claim 2, Megiddo taught the system of claim 1, as described above. Megiddo further teaches wherein said computing device comprises a display **(Fig 1c)** used for said displaying. **(Megiddo discloses the client computer 35 shown in FIG. 1c includes a Random Access Memory (RAM) 14, Read Only Memory (ROM) 16 and I/O adapter 18 for connecting peripheral devices such as disk storage units 20 to the bus 12, a user interface adapter 22 for connecting a keyboard 24, a mouse 26, a speaker 28, a microphone 32, and/or other user interface devices such as a touch screen (not shown) to the bus 12, communication adapter 34 for connecting the workstation to a communication network (e.g. a data processing**

network) and a display adapter 36 for connecting the bus 12 to a display device 38; Column 5 lines 15-24)

Regarding claim 3, Megiddo taught the system of claim 2, as described above. Megiddo further teaches wherein said display generates a graphical user interface. **(Megiddo discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located; Column 1 lines 37-43)**

Regarding claim 4, Megiddo taught the system of claim 3, as described above. Megiddo further teaches wherein said graphical user interface provides one or more lists of participants grouped by way of one or more conference calls **(Megiddo discloses preferably, the graphical image and the members of the user's group will appear closer on the user's computer's screen than other participants in the electronic conference room, regardless of location of the user in the electronic conference room; Column 2 lines 9-13).**

Regarding claim 5, Megiddo taught the system of claim 1, as described above. Megiddo further teaches wherein user inputs are generated using a point, click, and drag device. **(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user**

111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)

Regarding claim 6, Megiddo taught the system of claim 5, as described above. Megiddo as teaches wherein said point, click, and drag device comprises a mouse. ***(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 7, Megiddo teaches is a method of configuring side conference calls comprising: selecting one or more participant identifiers from at least one existing conference call; and positioning said selected participant identifiers into at least one side conference call identifier. ***(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 8, Megiddo taught the method of claim 7, as described above. Megiddo further teaches wherein said positioning said selected participant identifier comprises: pointing to said selected participant identifier using a point, click, and drag device; clicking on said selected participant identifier using said point, click, and drag device; and dragging said selected participant identifier using said point, click, and drag device to said at least one side conference identifier. ***(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may***

choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)

Regarding claim 9, Megiddo taught the method of claim 8, as described above. Megiddo also teaches wherein said point, click, and drag device comprises a mouse. ***(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 10, Megiddo taught the method of claim 7, as described above. Megiddo further teaches, comprising creating said at least one side conference identifier for configuring said side conference calls. ***(Megiddo discloses FIG. 5 is a flow diagram illustrating one particular methodology for carrying out the present invention with respect to creation and operation of the electronic conference room 100. In step 200, the server 25 provides an electronic conference room 100 for electronic communication between multiple users; Column 7 lines 48-51. Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation. According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52)***

Regarding claim 11, Megiddo teaches a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers. ***(Megiddo discloses In accordance with yet another aspect of the present invention a system is provided for providing an electronic forum for allowing multiple users to communicate simultaneously with one another. The system includes means for providing an interface, a plurality of computers coupled to the means for providing an interface, means for providing each user of each of the plurality of computers with a graphic image in the electronic conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group; Column 3 lines 14-26. Megiddo further discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 12, Megiddo taught the method of claim 11, as described above.

Megiddo further teaches wherein said conference identifiers comprise software objects.

(Fig.4a, 4b) (Megiddo discloses FIG. 4b) about the participant to be displayed on the user's personal computer. The information screen 160 includes the following information about the participant: name 162; age 164; gender 166; occupation 168; hobbies 170; and marital status 172. It is to be appreciated that the above information is for illustrative purposes only and additional or different information about the participant may be provided. The user can then use this information to decide on whether or not to enter another group. Additionally, this information can be used to begin communication with the participant based on, for example, hobbies of mutual interest or an occupation of interest; Column 7 lines 36-47)

Regarding claim 14, Megiddo taught the method of claim 11, as described above.

Megiddo further teaches comprising selecting a participant identifier to effectuate receipt of a corresponding video feed. ***(Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the***

participant's personal computer or other suitable graphical representation.

According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52)

5)

Regarding claim 15, Megiddo taught the method of claim 14, as described above. Megiddo further teaches wherein said corresponding video feed is displayed by a display. **(Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation. According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52)**

Regarding claim 16, Megiddo taught the method of claim 15, as described above. Megiddo also teaches wherein said display utilizes a graphical user interface.

(Megiddo discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located; Column 1 lines 37-43)

Regarding claim 20, Megiddo teaches a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers. ***(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 13, 17, 18, 21, 22, 25, & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo (6559863) in view of Ludwig (5758079).

Regarding claim 13, Ludwig in view of Megiddo taught the method of claim 12, as described above. Ludwig further teaches wherein said software objects may incorporate a conference call name, icon, logo, or insignia.

Megiddo does not specifically teach software objects may incorporate a conference call name, icon, logo, or insignia.

However Ludwig does teach software objects may incorporate a conference call name, icon, logo, or insignia (***Ludwig: Fig 40. Ludwig further discloses he then***

reinitiates (by selecting deferred call indicator 230, shown in FIG. 40) his deferred call with field representative 201 and his client 202, as shown in FIG. 41.)

It would have be obvious to a person of ordinary skill in the art at the time of the invention to modify a conferencing system as taught by Megiddo to include conference call name, icon, logo or insignia such as depicted by Ludwig's Fig 40. One of ordinary skill in the art would have been motivated to make this modification in order to have a conferencing system to include naming of a conference call in order to differentiate between numerous conference calls.

Therefore it would be obvious to combine Megiddo and Ludwig to come to limitations in claim 13.

Regarding claim 17, Megiddo taught the method of claim 14, as described above. Ludwig further teaches also comprising generating a new window for displaying said corresponding video feed. ***(Ludwig discloses Figs. 8A, 8B and 8C illustrate the video window on a typical CMW screen which may be generated during operation of a preferred embodiment of the present invention; Column 4 line 36-38.)***

Regarding claim 18, Ludwig in view of Megiddo taught the method of claim 11, as described above. Ludwig also teaches further comprising locking said one or more conference calls to prevent participation by additional participants. ***(Ludwig discloses***

a client can create an exclusive service on a set of ports to prevent other clients from creating services on these ports; Column 21 line 25-26.)

Regarding claim 19, Ludwig in view of Megiddo taught claim 11, as described above. Ludwig also teaches further comprising providing a roll call of participants participating in said one or more conference calls. ***(Ludwig discloses, in addition to the controls shown in Fig. 8B, the multi-party conference screen also includes buttons/ menu items that can be used to place individual conference participants on hold, to remove individual participants from the conference; Column 24 line 21-25.)***

Regarding claim 21, Megiddo taught the method of claim 20, as described above. Ludwig also teaches further comprising selectively receiving an audio feed of said one or more conference calls by way of using said one or more conference identifiers. ***(Ludwig discloses Client programs can specify which of the 4 physical connections on its ports should be switched. This allows client programs to establish unidirectional calls (e.g., by specifying that only the port's input connections should be switched and not the port's output connections) and audio-only or video-only calls (by specifying audio connections only or video connections only; column 20 line 57-63. This allows the collaboration Initiator to***

find collaboration participants no matter where they are located; Column 21 line 7-9.)

Regarding claim 22, Ludwig taught the method of claim 21, as described above. Further comprising receiving a video feed of said conference call by way of using said participant identifiers. ***(Ludwig discloses when a multi party conference call is initiated, the CMW provides a screen that is similar to the screen for two-party calls, which displays a live video picture of the caller's image in a video window. However for multi-party calls, the screen includes a video mosaic containing a live video picture of each of the conference participants; Column 24 line 10-16.)***

Regarding claim 25 Ludwig taught the method of claim 22, as described above. Ludwig further teaches wherein said video feed comprises a recorded playback of said one or more conference calls. ***(Ludwig states teleconferences may be recorded and stored for later payback, including both audio/video and all data interactions; Column 3 line 12-14.)***

Regarding claim 26 Ludwig taught the method of claim 25, as stated above. Ludwig further teaches wherein said recorded playback comprises an image enhanced playback. ***(Ludwig discloses audio/video editors and views running on the client workstation use the same software interfaces as the multimedia teleconferencing***

system to establish these network connections; Column 28 line 48-67 and Column 32 line 45-47.)

6. Claims 23 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo (6559863) in view of Flanagan (6339754).

Regarding claim 23, Megiddo in view of Ludwig taught the method of claim 21, as described above. Megiddo nor Ludwig do not teach comprising receiving a translated version of said audio feed.

However Flanagan teaches receiving a translated version of said audio feed.
(Flanagan discloses the present invention relates generally to a system for automated translation of speech in a real-time conferencing or chat environment. Particularly, the present invention integrates speed recognition, machine translation, and speech generation technology into a system for accepting messages from and broadcasting messages to subscribers of an online information system such that a message spoken by a subscriber in a first language may be heard by subscribers in a second language. ; column 1 line 13-21)

Megiddo and Flanagan are analogous art because they are from the same field of endeavor of computer conferencing.

It would have be obvious to a person of ordinary skill in the art at the time of the invention to modify a conferencing system as taught by Megiddo to include a translation audio feed as taught by Flanagan. One of ordinary skill in the art would have been motivated to make this modification in order to have a conferencing system to include the translation of Flanagan because it provides the advantage of multi language participants to partake in the conference with out a live translator (another person) present or a transcript which has to be sent to be translated. This will make for a more efficient conference call.

Therefore, it would be obvious to combine Megiddo with Flanagan for the benefit of creating an audio/video conferencing system to obtain the invention as specified in claim 23.

Regarding claim 24, Megiddo and Ludwig in view of Flanagan taught the method of claim 23, as described above.

Flanagan further teaches translated version is generated at server. ***(Flanagan discloses in a preferred embodiment of the present invention, translation services are provided by one or more dedicated servers executing application software that has been designed to provide translation of many types electronic communications; Column 6 line 46-50).***

(10) Response to Argument

(A) Appellant Argument regarding independent claim 1:

Examiner summarizes appellant's arguments. Appellant respectfully submits that Megiddo, at Figures 1a or 1c, and col. 3 lines 54-56, does not teach anything about "a system for configuring a conference call comprising a computing device that is communicatively coupled with a server." Megiddo's electronic conference room allows communication between all parties (regardless of an individual's membership to a group) in that electronic room. While the examiner believes that each group within Megiddo's conference room constitutes a conference call, Appellant disagrees because anyone within the electronic conference room hears everyone else (regardless of whether participants are in separate groups within the conference room) at a volume that is inversely proportional to the distance between a first user's iconic representation and a second user's iconic representation. Consequently, for at least this reason, the Appellant respectfully submits that the Office Action has not shown a teaching of a conference call as recited in claim 1.

The Appellant further goes to explain that nowhere does Megiddo, at col. 7 lines 48-51, does not teach anything about "a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, said computing device capable of displaying, to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server. " Appellant explains that Megiddo is an electronic conference room in a cocktail party environment where everyone can hear other conversations at a level corresponding to the distance one or more parties are from a participant or user.

Appellant submits that an electronic conference room does not teach a conference call. Appellant respectfully submitted that communication between multiple groups of users in a conference room (as disclosed by Megiddo) is different from conducting a conversation between participants in a conference call. Appellant explains that a conversation between multiple users in a room provides no privacy among the parties since Megiddo states that " the present invention facilitates creating a cocktail party type of interaction medium wherein communications between parties spatially closer to a first user are more intense than communications. The application also is able to have the ability to eavesdrop on conversations of one or more people while concurrently being able to eavesdrop on conversations of one or more other parties. Appellant explains the office action has not shown a teaching of "information regarding a status of the conference call based on at least one communication received from said server".

In response:

Examiner would like to clarify position regarding the applicant's argument. Applicant's main argument seems to be that Megiddo's conference room does not teach a "conference call". Applicant explains that Megiddo has an added feature of being able to hear or eaves drop within other groups thus it is not a conference call. Examiner respectfully disagrees.

Examiner would like to point out that Megiddo's conference room allows for multiple users to communicate with one another. Megiddo discloses, *in accordance with another aspect of the present invention, a method is provided for allowing multiple users to communicate electronically with one another; Megiddo Column 3 lines 14-18.* Further Megiddo explains that the use the communication can be by video and audio. *The user 111 and the second graphic image 112 can communicate using visual and/or audio communications via conventional computer system methods; Column 5 lines 49-51.* This is explaining a conference call to the examiner.

Further replying to applicant's argument that Megiddo's has the capability to eaves drop into other groups which makes it not a conference call. Examiner would like to point out this extra feature of Megiddo's background communication of other groups is able to turned on and off. *The user can turn on and off selectively background communications from other groups with respect to the user's computer and personal environment. The user can also control their own communication within the group. For example, the user can select between communicating visually, audibly or simply listening to others. Column 2 lines 36-42.*

Examiner views Megiddo teaching "a system for configuring a conference call comprising a computing device that is communicatively coupled with a server". Megiddo's system having the ability to turn on and off audio as stated above can be considered configuring the conference call. Further the ability to move icons representing users into a group is also considered configuring the conference call to examiner. *Megiddo discloses, the user may choose to enter the group 120 because*

the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120; Megiddo Column 6 lines 42-29. Megiddo's system is utilized through a central server. Thus all of this information is being relayed through the server. Megiddo discloses the client computer system 35 is shown connected to the central server computer system 25 that is part of the Internet 60; Megiddo Column 4 lines 47-50.

Examiner would finally like to clarify "information regarding a status of the conference call based on at least one communication received from said server" as well. Examiner would like to point to Megiddo's Fig. 2a (which is used through a server). This is showing users interacting with each both visually and with audio. There are questions being asked in Fig. 2a element 114. This explains this limitation to examiner by reviewing the example and explanation in Applicant's specification. *The conference call configuration information may comprise the number of participants in a particular conference call, the status of a particular participant, and/or transmitted audio/video quality status. For example, a participant's status may include whether or not he has a question for one of the other participants. It is contemplated that other types of status information may also be provided by way of a particular window provided by the graphical user interface; Rambo Page 13 Paragraph [29].*

Further Megiddo's Fig. 4B of shows status information of a particular user. *Megiddo discloses, for example, in FIG. 4a, the user places the mouse pointer over the fifth graphic image 131, which causes an information screen 160 (FIG. 4b) about the participant to be displayed on the user's personal computer. The information screen 160 includes the following information about the participant: name 162; age 164; gender 166; occupation 168; hobbies 170; and marital status 172. Megiddo Column 5 lines 33-40. This also explains status information to examiner. Megiddo's system is utilized through a central server. Thus all of this information is being relayed through the server. Megiddo discloses the client computer system 35 is shown connected to the central server computer system 25 that is part of the Internet 60; Megiddo Column 4 lines 47-50.*

(B) Appellant argument regarding dependent claim 4:

Examiner summarizes appellant's arguments. Applicant makes argument that the system of claim 3 wherein said graphical user interface provides one or more lists of participants grouped by way of one or more conference calls is not being taught. Applicant points more specifically to "one or more list of participants".

In response:

Examiner explains Megiddo's graphical image and the members of the user's group which appears on the screen, is considered one or more lists of participants to examiner. Examiner is not sure why applicant believes this does not teach the argued limitation since applicant did not further explain.

Further to clarify, Megiddo discloses preferably, the graphical image and the members of the user's group will appear closer on the user's computer screen than other participants in the electronic conference room, regardless of location of the user in the electronic conference room; Column 2 lines 9-13. Megiddo graphical image and the members of the user's group explains one or more list of participants.

(C) Appellant argument regarding independent claim 7:

Examiner summarizes appellant's arguments. Applicant makes argument Megiddo does not teach or disclose anything about "configuring conference calls" as recited in Claim 7. Furthermore, Megiddo does not teach or disclose anything about "selecting one or more participant identifiers from at least one existing conference call,". Megiddo also does not teach anything about "positioning said selected participant identifiers into at least one side conference call identifier." Megiddo discloses implementation of a plurality of groups in an electronic conference room as opposed to implementation of "conference call". Since Megiddo teaches use of an electronic conference room, Megiddo does not teach the "conference call" recited in Claim 7. Furthermore, since Megiddo does not teach a conference call, Megiddo does not teach

an identifier that identifies a conference call or a "conference call identifier," as recited in Claim 7.

In response:

Examiner respectfully see's applicant views Megiddo not teaching the limitation of Claim 7 because of Megiddo supposedly does not teach a "conference call". As explained in claim 1, examiner respectfully disagrees.

Examiner views Megiddo's conference room as a type of conference call with at least one added feature of being able to eaves drop in on other conference groups or conference calls. Megiddo's system with conference rooms are able to interact or communicate with multiple participants via audio and or video. *Megiddo discloses, in accordance with another aspect of the present invention, a method is provided for allowing multiple users to communicate electronically with one another; Megiddo Column 3 lines 14-18.* Further Megiddo explains that the use the communication can be by video and audio. *The user 111 and the second graphic image 112 can communicate using visual and/or audio communications via conventional computer system methods; Column 5 lines 49-51.* Examiner respectfully believes this to be explaining conference calls. Thus Megiddo's conference groups are considered different conference calls. Megiddo also explains conference call identifiers as groups such as group 120 as explained in office action. *Megiddo discloses, the user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111*

into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61.

(D) Appellant argument regarding dependent claim 10:

Examiner summarizes appellant's arguments. Appellant makes argument that based on the foregoing figure and passage, none of Megiddo, at Figure 5 and at column 7 lines 48-51 teaches or discloses "creating said at least one side conference identifier for configuring said side conference calls: as recited in claim 10. While Megiddo, at Figure 5 at col. 7 lines 48-51, discloses creation and operation of electronic room, there is no disclosure of "creating said at least one side conference identifier for configuring said side conference calls," as recited in Claim 10.

In response:

Examiner respectfully does not see applicant's explanation or reasoning of why creating said at least one side conference identifier for configuring said side conference calls is not taught by Megiddo. Examiner has to believe it's for the same reason as

previous claim 7, which is Megiddo's conference room does not teach applicant's conference call. As such, examiner views this was explained above in claim 7.

(E) Appellant argument regarding independent claim 11:

Examiner summarizes appellant's arguments. Appellant makes argument that Megiddo does not teach "configuring one or more conference calls," or "creating conference identifiers", or "grouping participant identifiers into said conference identifiers," as recited in claim 11. For example, Megiddo does not disclose anything about "one or more conference calls." Nor does Megiddo disclose anything about "conference identifiers." Megiddo, at column 6, lines 41-6, discloses moving or dragging a graphical image representing a user around an electronic conference room, so as to enter small communication groups by way of dragging a user "into or near to" a group in a cocktail party setting in which every participant can eaves drop" another participant in the conference room. Furthermore, the Appellant respectfully submits that while Megiddo does not disclose "conference identifiers." The Appellant respectfully submits that Megiddo does not teach "configuring one or more conference calls" as recited in Claim 11 for the same reasons that Appellant had provided for Claims 1 and 7.

In response:

Examiner would like to clarify position with regards to claim 11 and applicant's arguments.

Examiner points to Fig. 2b-2c, where examiner views users 111, 112 and 132 as participant identifiers and conference groups 110, 120, and 130 as conference identifiers. Users 111, 112, can be grouped into conference groups 110 or 120. The moving of icon or users into different group is considered configuring a conference call. Megiddo discloses *referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112; Megiddo Column 6 lines 41-46.* Thus this explains the limitations in claim 11. Further in order not to be repetitious, argument regarding conference call not being taught by Megiddo was addressed in claim 1 and 7.

(F) Appellant argument regarding dependent claim 14:

Examiner summarizes appellant's arguments. Applicant makes argument that Megiddo does not teach "selecting a participant identifier to effectuate receipt of a corresponding video feed." Applicant explains Megiddo discloses means for providing each user of each of the plurality of computers with a graphic image in electronic

conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group, this does not teach the limitations in claim 14.

In response:

Examiner would like to clarify position in regards to claim 14 and applicants argument.

Megiddo does explain for providing each user of each of the plurality of computers with a graphic image in electronic conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group as explained by Applicant. Megiddo also discloses, *the graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation; Megiddo Column 1 lines 40-46.* This is viewed to examiner to explain "selecting a participant identifier to effectuate receipt of a corresponding video feed."

(G) Appellant argument regarding dependent claim 15:

Examiner summarizes appellant's arguments. Applicant makes argument that Megiddo does not teach "wherein said corresponding video feed is displayed by a display," as recited in claim 15. Applicant explains Megiddo disclose "means for providing each user of each of the plurality of computers with a graphic image in the electronic conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group," Megiddo, at col. 3, lines 37-52. This does not teach the limitations in claim 15.

In response:

Examiner would like to clarify position in regards to claim 15 and applicant's argument.

Megiddo discloses, *the graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation;* Megiddo Column 1 lines 40-46. This is viewed to examiner to explain "wherein said corresponding video feed is displayed by a display".

(H) Appellant argument regarding independent claim 20:

Examiner summarizes appellant's arguments. Applicant makes argument that Megiddo does not teach "a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participants identifiers into one or more conference identifiers" as recite in claim 11. For example Megiddo does not disclose anything about "one or more conference calls." Nor does Megiddo disclose anything about "pointing, clicking, and dragging participant identifiers into one or more conference identifiers." Applicant further explains Megiddo discloses moving or dragging a graphical image representing a user around an electronic conference room, so as to enter small communication groups by way of dragging a user "into or near to" a group in cocktail party setting in which every participant can eavesdrop another participant in any group of Megiddo's electronic conference room.

In response:

Examiner would like to clarify position in regards to claim 20 and applicant's argument.

Examiner points to Fig. 2b-2c, where examiner views users 111, 112 and 132 as participant identifiers and conference groups 110, 120, and 130 as conference

identifiers. Users 111, 112, can be selected and moved into conference groups 110 or 120. . Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. *Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120; Megiddo discloses Column 6 lines 41-50.* Further in order not to be repetitious, argument regarding conference call not being taught by Megiddo was addressed in claim 1 and 7.

(I) Appellant argument regarding independent claim 17:

Examiner summarizes appellant's arguments. Applicant makes argument that Ludwig may disclose a "video window on a typical collaborative multimedia workstation" screen, Ludwig, at col. 4, lines 36-38 but does not disclose anything about "generating a new window for displaying said corresponding video feed. Therefore, Ludwig does not teach each and every element of claim 17.

In response:

Examiner would like to clarify position in regards to claim 17 and applicant's argument. Examiner respectfully disagrees with Megiddo in view of Ludwig not teaching the limitations of claim 17. Examiner views Ludwig explaining there being a video window as explaining generating a new window. *Ludwig discloses FIGS. 8A, 8B and 8C illustrate the video window on a typical CMW screen which may be generated during operation of a preferred embodiment of the present invention, and which contains only the callee for two-party calls (8A) and a video mosaic of all participants, e.g., for four-party (8B) or eight-party (8C) conference calls. Column 4 lines 36-41.* This explains the generation of a new window for a particular video feed between at least two callers as explained in citation. Every time users connect to each other it is a new video window which is generated. *Ludwig also discloses when a multi-party conference call is initiated, the CMW provides a screen that is similar to the screen for two-party calls, which displays a live video picture of the callee's image in a video window; Ludwig Column 24 lines 10-14.*

(J) Appellant argument regarding dependent claim 18:

Examiner summarizes appellant's arguments. Applicant makes argument that Ludwig may disclose that "a client can create an exclusive service on a set of ports from creating services on these ports" there is no disclosure of "locking said one or

more conference calls to prevent participation by additional participants," as recited in claim 18.

In response:

Examiner would like to clarify position in regards to claim 18 and applicant's argument. Examiner respectfully disagrees that Megiddo in view of Ludwig does not teach "comprising locking said one or more conference calls to prevent participation by additional participants." Examiner would like to disclose that a client can create a specific type of service that will allow certain participants but will block out other types of calls such as incoming video calls. This teaches preventing participation by additional participants. *Ludwig discloses clients that want to receive requests do so by putting their services in listening mode. If clients want to accept incoming data shares, but want to block incoming video calls, they must create different services; Column 21 lines 19-23.* Further Ludwig discloses the user could refuse the call by clicking on a refuse button in the dialog box, or by clicking on a "hold" button on the active call window to put the current call on hold and allow the incoming call to be accepted.

(K) Appellant argument regarding dependent claim 19:

Examiner summarizes appellant's arguments. Applicant makes argument that there is no disclosure in Ludwig of providing a roll call of participants participating in said one or more conference calls.”.

In response:

Examiner would like to clarify position in regards to claim 19 and applicant's argument.

Ludwig discloses the Expert quickly answers the boss' question and, by clicking on the RESUME button (of video window 203) adjacent to the names of the other participants to the call on hold, simultaneously hangs up on the conference call with his boss and resumes his three-party conference call involving the securities issue, as illustrated in video window 203 of FIG. 40. Ludwig Column 37 lines 61-67. Ludwig shows the names of callers on a hold of a conference call. This teaches roll call of the participants participating in said one or more conference calls.

(L) Appellant argument regarding dependent claim 21:

Examiner summarizes appellant's arguments. Applicant makes argument that Megiddo in view of Ludwig does not disclose or teach selectively receiving an audio feed of said one or more conference calls by way of using said one or more conference identifiers. Applicant explains Ludwig discloses “audio connections” may be specified

there is no disclosure of "selectively receiving an audio feed of said one or more conference calls by way of using said one or more conference identifiers," as recited in claim 21.

In response:

Examiner would like to clarify position in regards to claim 21 and applicant's argument.

Examiner would like to respectfully disagree that Megiddo in view of Ludwig does not teach "selectively receiving an audio feed of said one or more conference calls by way of using said one or more conference identifiers" .

Examiner would like to explain after further reviewing claim that Megiddo teaches these limitations. Examiner views conference group 120 as a conference identifier and by entering the group, the user is using the conference identifier, which then is selectively receiving an audio feed. Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. *Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120; Megiddo discloses* Column 6 lines 41-50.

Further user can choose to turn on and off audio feeds. *The user can also control their own communication within the group. For example, the user can select between communicating visually, audibly or simply listening to others. Megiddo discloses Column 2 lines 36-42.*

(M) Appellant argument regarding dependent claim 21:

Examiner summarizes appellant's arguments. Applicant makes argument that Megiddo in view of Ludwig does not teach receiving a video feed of said conference call by way of using said participants identifiers.

Applicant further discloses that Ludwig may disclose that "the CMW provides screen that is similar to the screen for two-party calls, which displays a live video picture of the callee's image in a video window," there is no disclosure of "receiving a video feed of said conference call by way of using said participant identifier," as recited in claim 22.

In response:

Examiner would like to clarify position in regards to claim 21 and applicant's argument.

Examiner respectfully disagrees that Megiddo in view of Ludwig does not teach, receiving a video feed of said conference call by way of using said participant identifiers. Examiner views user 111 and graphic image 112 as being participant identifiers.

Megiddo discloses, the user 111 and the second graphic image 112 can communicate using visual and/or audio communications via conventional computer system methods; Column 5 lines 49-51. Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120; Megiddo discloses Column 6 lines 41-50.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/GERALD SMARTH/

Examiner, Art Unit 2446

/Jeffrey Pwu/

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